

March 1, 1988

LB 819, 984

SENATOR HABERMAN: Mr. President, members of the body, LB 984 would allow indebtedness secured by deeds of trust to be paid to zero without extinguishing the security. We did the same thing on real estate loans last year, and the picture has changed, and we should also have it on deeds of trust. I ask you to advance the bill.

PRESIDENT: The question is the advancement of the bill. All those in favor vote aye, opposed nay. Record, Mr. Clerk, please.

CLERK: 27 ayes, 0 nays on the advancement of 984, Mr. President.

PRESIDENT: The bill is advanced. LB 819, please.

CLERK: 819 was a bill introduced by Senator Elmer. (Read title.) The bill was introduced on January 6, referred to Revenue, advanced to General File. I have committee amendments, Mr. President.

PRESIDENT: Senator Vard Johnson, please.

SENATOR V. JOHNSON: Mr. President, members of the Legislature, Senator Owen Elmer brought to the Revenue Committee and this body a legislative bill that was designed to reduce the length of time that a taxpayer had to claim a property tax refund when the refund itself resulted from an error by taxing officials or by a misunderstanding or an honest mistake of the taxpayer. Now, LB 819 reduced the time of making the refund by the counties from two years to one year. But LB 819 also permitted the refund to be made during the next tax year, if the county treasurer has insufficient undistributed money on hand to pay the refund claim. This was a dynamite bill when we heard it, but I've kind of forgotten what it was about now. But the committee didn't kill the bill. The committee liked the bill. The committee thought it was a wonderful bill, but the committee decided that Senator Elmer was overreaching when he wanted to reduce the time to claim refunds from two years to one year. So the committee amendment simply makes the refund claim period two years. I move the amendment.

PRESIDENT: Thank you. Senator Elmer, on the amendment.

SENATOR ELMER: Mr. President, members and Senator Johnson, I